REMARKS/ARGUMENTS

Favorable reconsideration of this application is respectfully requested.

Claims 1-18 are pending in this application. Claims 7 and 16 were objected for informalities. Claims 1, 4, and 7 were rejected under the judicially created doctrine of obviousness-type double patenting as unpatentable over claims 1 and 2 of U.S. patent 6,757,657 to Kojima et al. in view of U.S. Patent Application Publication 2001/0042093 A1 to Shirai et al. (herein "Shirai"). Claims 1, 2, 4, 5, 7, 8, 10, 11, 13, 14, 16, and 17 were rejected under 35 U.S.C. § 103(a) as unpatentable over Shirai in view of U.S. patent 5,995,936 to Brais et al. (herein "Brais"). Claims 3, 6, 9, 12, 15, and 18 were rejected under 35 U.S.C. § 103(a) as unpatentable over Shirai in view of Brais and further in view of U.S. patent application publication 2003/0115277 A1 to Watanabe et al. (herein "Watanabe").

Addressing first the objection to claims 7 and 16, that objection is traversed by the present response. More particularly, those claims are amended by the present response to now clarify that the programs therein comprise computer codes to perform the noted operations.

Addressing the above-noted prior art rejections, those rejections are traversed by the present response.

Initially, applicants note the claims are amended by the present response to make clarifications. Specifically, the claims now clarify that a single file includes the picture and corresponding at least one of words or sentences. The claims also clarify that the selection of that single file causes the creation of transmission information for transmitting information of that single file. Such features do not appear to have been properly or fully considered in the Office Action, and thus to promote prosecution those features are even further clarified by the present response.

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According to features set forth in the claims, a camera takes a picture and at least one of corresponding words or sentences with that picture can be input when the camera is taking the picture, and can then be stored in a memory with the picture information as a single file of the picture, the corresponding at least one of words or sentences being stored at a predetermined position in the single file of the picture. As a non-limiting example, the above-noted feature can be directed to associating a picture to be part of an e-mail with associated text, for example describing the picture, also desired to be part of the e-mail. Such a single file combining the picture and the at least one of words or sentences is saved. Also, as set forth in the pending claims, when the saved single file is selected transmission information, for example the specific e-mail transmission file, is also created. The above-noted features are believed to clearly distinguish over the applied art.

Applicants submit the prior art fails to teach or suggest the claimed feature that "wherein said transmission information is created wherein said predetermined single file is selected in a batch operation when said second predetermined operation is executed", as specifically required in independent claim 1, and as similarly recited in the other independent claims. According to such a feature as set forth in the claims, when a saved single file including pictures and corresponding words or sentences is selected in a batch operation, then transmission information, for example the specific e-mail transmission file, is created. Such features are believed to clearly distinguish over the applied art.

The claims are amended by the present response to clarify that the second predetermined operation selects a single file of the picture and the corresponding at least one of words or sentences from the memory. Thus, the *same operation that selects an already stored single file also triggers creation of the transmission information*.

The outstanding rejection indicates such features are disclosed in Shirai at page 4, paragraph [0076] and page 6, paragraph [0116], the basis for the outstanding rejection noting

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that Shirai discloses "transmission information such as email data or attached file is

automatically generated when a file is selected".[1]

The above-noted further basis for the outstanding rejection is believed to not properly

be considering the claimed features.

In paragraph [0076] Shirai merely discloses attaching a file to an e-mail to be sent. In

fact, the noted paragraph in Shirai states as follows:

> [0076] In step S11, the user on the mail sending side generates a
> mail text (e.g., the mail message 401 in FIG. 4A) by using the mail tool
> 302, and stores it in the RAM in the memory 204. If the user inputs
> information indicating the necessity of an attached file, the attached file
> generation unit 301c is activated. The flow then advances from step S12
> to step S13. In step S13, a list of files managed by the file management
> unit 301a is presented to make the user select a file to be attached. When
> the file to be attached is selected, an attached file (e.g., the attached file
> 406 in step S4B) is automatically generated on the basis of the selected
> file in step S14. The attached file is then merged into the mail text. In
> response to a mail transmission command, the flow advances from step
> S15 to step S16 to transmit the mail data (the mail text and the attached
> file). If it is determined in step S12 that no attached file is necessary, the
> flow advances to step S15 to transmit the mail data (only the mail text in
> this case).

As clear from the above quote, Shirai requires a user to set up a mail message 401 as

shown in Figure 4A to provide transmission information for transmitting information of the

file. Such operations in Shirai clearly differ from the claims.

In the claimed features the same operation that selects a single stored file from a

memory, the single stored file already being formed of a picture and at least one of

corresponding words or sentences, *also results in the generation of transmission*

information for that file. Shirai clearly does not teach or suggest such features. That is,

Shirai does not teach or suggest that the mere selection of one single file including both

pictures and corresponding words or sentences results in the generation of transmission

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[1] Office Action of August 12, 2005, page 10, the paragraph bridging pages 13-14.

information. Shirai discloses that a user must input all the data shown for example in Figure

4A to generate a mail text. The mere selection of a single file in Shirai does not result in such

generation. In fact, in Shirai the user must set up the entire mail message prior to selecting

any file to be part of the mail message. That disclosure in Shirai clearly differs from the

claims in a way clearly not properly recognized in the Office Action.

Further, applicants respectfully submit the applied art does not fully teach the claimed

"memory means" for example as recited in independent claim 1. Specifically, independent

claim 1 recites:

> a memory means for storing said picture and said
> corresponding at least one of words or sentences as a single file
> of said picture, said corresponding at least one of words or
> sentences being stored at a predetermined position in the single
> file of said picture.

The other independent claims recite a similar limitation. As a non-limiting example, in the

claimed invention a voice command can be attached to a picture file, for example can be

attached to a predetermined position in a header of a still-picture file. Such a type of

operation is believed to distinguish over the applied art.

In maintaining the above-noted basis for the rejection, the outstanding Office Action

on page 14 states:

> As to point (C), Prior art does teach memory means. For example,
> Brais teaches a memory means for storing said picture and said at least
> one of words or sentences as a file of said picture (i.e., the text and
> digitized images are stored within a database wherein image have
> associated with annotations in the form of images, col. 6 lines 3-5), said at
> least one of words or sentences being stored at a predetermined position in
> the file of said picture (i.e., the text and digitized images are inserted in
> chronological order, col. 5 lines 65-66).
>
> As a result, the cited prior art does disclose picture-information
> transmission apparatus and method as broadly claimed by the applicants.
> Applicants clearly have still failed to identify specific claim limitations
> that would define a clearly patentable distinction over prior art.

The above-noted basis for the outstanding rejection is believed to not properly consider the claimed features. First, the mere storing of information within a same database in Brais is not the same as storing a *single file* of both a picture and corresponding words or sentences. Applicants believe they have clearly identified specific claim limitations that are not taught or suggested by the applied art, in particular not taught by Brais. The outstanding Office Action has not, however, indicated how the teaching in Brais actually meet the positively recited claim limitations.

Further, the disclosure in Brais at column 5, lines 65-66 merely indicates text and digitized images being inserted into a word processing document, which is clearly not a single picture file. Again, the claims do recite the above-noted features and it is the outstanding rejection that is not properly indicating how the positive recited claim features are fully suggested in the applied art.

In view of these foregoing comments, applicants respectfully submit the claims distinguish over Shirai in view of Brais.

Moreover, no teachings in the further cited art to Watanabe can overcome the above-noted deficiencies of Shirai in view of Brais.

Moreover, with respect to the obviousness-type double patenting rejection, the deficiencies of Shirai are discussed above in detail and clearly such deficiencies in Shirai do not overcome the recognized deficiencies in U.S. patent 6,757,657 to Kojima et al.

In view of the foregoing comments, applicants respectfully submit that each of the outstanding grounds for rejection is traversed by the present response and that the claims as currently written distinguish over the applied art.

As no other issues are pending in this application, it is respectfully submitted that the

present application is now in condition for allowance, and it is hereby respectfully requested

that this case be passed to issue.

Respectfully submitted,

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